

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA

---

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
vs.	)	NO. 6:22-CR-2003
ANDREW SURPRENANT,	)	
Defendant.	)	

---

DEFENDANT'S SENTENCING MEMORANDUM

COMES NOW Defendant by and through counsel and provides the following:

I. WITNESSES

Defendant gives notice that he will not be calling any witnesses at the time of sentencing.

II. EXHIBITS

Defendant gives notice that he will be offering the following exhibits.

- a. Grand Jury Testimony Transcript
- b. Proffer report of Nicholas Berry

DISPUTED GUIDELINE ISSUES

Defendant gives notice that two guideline issues needs resolved. First, is the applicability of U.S.S.G. 2D1.1(b)(5) related to the importation of methamphetamine. Second is the three level assessment for aggravating role pursuant to U.S.S.G. 3B1.1(b).

III. DEFENDANT'S REQUESTED GUIDELINE CALCULATION

Base Offense Level	38
Specific Offense Characteristics	
Possession of a Dangerous Weapon (USSG §2D1.1(b)(1)	+2
Maintaining a Premises (USSG §2D1.1(b)(12)	+2
Acceptance of Responsibility (USSG §3E1.1(a)-(b)	-3
Total Offense Level	39
Criminal History Points ()	Level IV

Advisory Guideline Range	360-Life.
Statutory Minimum Sentence	10 years.

IV. DEFENDANT'S MOTION FOR DOWNWARD VARIANCE

By separate filing, Suprenant will be making a motion for downward variance..

V. DEFENDANT'S PROGRAMMING/PLACEMENT REQUESTS

1. That the Court recommend he be placed in an institution commensurate with her security classification as close to his home in the Northern District of Iowa
2. He requests that he be recommended for Mental Health Programming .

ANDREW SURPRENANT, Defendant

BY: /s/ Chad R. Frese  
Chad R. Frese AT0002704  
KAPLAN & FRESE, LLP  
111 East Church Street  
Marshalltown, Iowa 50158  
Phone: (641) 753-5549  
Fax: (641) 753-0962  
Email: chad@kaplanfrese.com

ATTORNEYS FOR DEFENDANT.

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2022,  
I electronically filed the foregoing with  
the Clerk of Court using the ECF system  
which will send notification of such filing  
to the attorneys of record.

By: /s/ Chad Frese  
Attorney for Defendant